

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

**NOTICE OF PUBLIC HEARING**

concerning

**CONSIDERATION OF ORDER AMENDING  
CEASE AND DESIST ORDER R5-2007-0013  
(NPDES PERMIT NO. CA0085197)**

**FOR  
STERLING CAVIAR LLC.  
ELVERTA FACILITY  
SACRAMENTO COUNTY**

Sterling Caviar LLC (Discharger) owns and operates the Sterling Caviar LLC, Elverta (Facility), a white sturgeon fish farm that produces caviar in Sacramento County. Wastewater is discharged to wetlands within the Betts-Kismat-Silva (BKS) preserve. The BKS preserve was developed by the Natomas Basin Conservancy to provide habitat for the giant garter snake and the Swainson's hawk. The BKS preserve is located within Reclamation District No. 1000 (RD1000). The RD1000 operates and maintains a drainage system that collects storm water and agricultural drainage within the RD1000 boundaries and disposes of the water via various pumping plants to the Sacramento River, a water of the United States. In March 2007, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Waste Discharge Requirements Order R5-2007-0012 allowing the discharge of wastewater to the BKS preserve wetlands. The Discharger was unable to comply with new final effluent limitations for arsenic, nitrate, and manganese. Therefore, in March 2007, the Central Valley Water Board also adopted Cease and Desist Order (CDO) R5-2007-0013 that provides time schedules for compliance with the final effluent limitations up until 1 March 2012.

The Discharger is proposing development of an agricultural operation to be located near the Facility that would use treated wastewater from the Facility as its irrigation source. A tentative Order to amend the existing CDO and allow additional time to develop the agricultural operation is proposed. This proposed project will allow the discharge to be reused as a water supply for irrigation.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 2 / 3 February 2012  
TIME: 8:30 AM  
PLACE: Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Dr., Suite #200  
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Sterling Caviar LLC Representatives

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than

**5:00 p.m. on 16 December 2011.** The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

A proposed Order was issued on 14 November 2011. Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5:00 p.m. on 16 December 2011**. Written evidence or comments submitted after **5:00 p.m. on 16 December 2011** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.


All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions on the proposed Order should contact Ms. Kari Holmes at (916) 464-4843 or [kholmes@waterboards.ca.gov](mailto:kholmes@waterboards.ca.gov). Interested parties may download the tentative Order and related documents from the Central Valley Water Board's Internet website at [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. **The final meeting agenda will be available at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order(s).**

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing [http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.



---

Kenneth D. Landau, Assistant Executive Officer

14 November 2011